

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-9 are pending in the present application, Claim 8 having been amended. Support for the amendment to Claim 8 is found, for example, in Fig. 15 and its corresponding description in the specification. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claim 8 was rejected under 35 U.S.C. §101, as directed toward unpatentable subject matter; and Claims 1-7 and 9 were allowed.

Applicants thank the Examiner for the allowance of Claims 1-7 and 9.

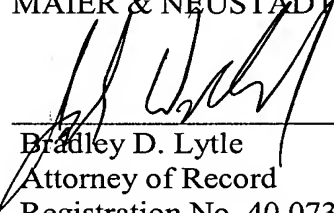
With respect to the rejection of Claim 8 under 35 U.S.C. §101, Claim 8 is amended to more clearly describe and distinctly claim the subject matter regarded as the invention. Particularly, Claim 8 is amended to recite “A computer readable storage medium encoded with instructions, which when executed by a computer causes the computer to control an information processing apparatus....” Applicants respectfully submit that amended Claim 8 is directed toward statutory subject matter. If a claim defines a useful machine or manufacture by identifying the physical structure of the machine or manufacture in terms of its hardware or hardware and software combination, it defines a statutory product. See, e.g., *Lowry*, 32 F.3d at 1583, 32 USPQ2d at 1034-35; *Warmerdam*, 33 F.3d at 1361-62, 31 USPQ2d at 1760.

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Consequently, in light of the above discussion, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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